

BOARD MEETING MINUTES

April 7, 2004

MEMBERS PRESENT

Raymond Williams
Roger Chesley
William Macomber
James Keating
Edward Leary

OTHERS PRESENT

Carol Leighton, Administrator
Debbie Fales, Licensing Clerk
Susan Greenlaw, Board Clerk
Dennis Smith, Assistant Attorney General
Ruth McNiff, Assistant Attorney General

MEMBERS ABSENT

Location: Androscoggin Room

Start: 9:03 a.m.

Adjourn: 10:45 a.m.

CALL TO ORDER

The meeting was called to order at 9:03 a.m.

AGENDA MODIFICATIONS

Members agreed to add the following:

- Newspaper advertisement
- NALLOA Conference

OLD BUSINESS

Action on Minutes of February 4, 2004 Meeting

A motion was made by Roger Chesley and seconded by Edward Leary to accept the minutes of the February 4, 2004 meeting as written. Unanimous.

Action on Minutes of March 4, 2004 Meeting

A motion was made by Roger Chesley and seconded by William Macomber to accept the minutes of the March 4, 2004 meeting as written. Chesley, Macomber, and Williams voted in the affirmative; none opposed; Keating and Leary abstained. Motion carried.

NEW BUSINESS

Administrator's Report

At the February 4, 2004 meeting the Board held a hearing on the appeal of the denial of Richard Oliver's application for licensure. Since that time Mr. Oliver has submitted a timely appeal to the Superior Court.

L.D. 1551 "An Act To License Home Building and Improvement Contractors": Each Board within the Office of Licensing and Registration may be assessed a percentage of their funds to assist in funding the startup costs of this new program.

BOARD MEETING MINUTES

April 7, 2004

Complaint Officer's Report

#AUC-168 Audrey Street – Request for Stay of Action: The motion for stay of action submitted by attorney Ralph Dyer on behalf of Ms. Street was withdrawn.

James Keating, Complaint Officer, presented the facts in the following cases:

#AUC-173: A motion was made by Roger Chesley and seconded by Edward Leary to dismiss upon finding no violation of Board statute or rules. Unanimous.

#AUC-174: A motion was made by Roger Chesley and seconded by Edward Leary to dismiss upon finding no violation of Board statute or rules. Unanimous.

#AUC-176: A motion was made by William Macomber and seconded by Roger Chesley to dismiss upon finding no violation of Board statute or rules. Unanimous.

#AUC-181: A motion was made by Roger Chesley and seconded by William Macomber to schedule an adjudicatory hearing based on possible violation of §291(1)(D) and (E) and Board rules Chapter 50 Section 4(C). Edward Leary recused and left the room. Chesley, Macomber, and Williams voted in the affirmative; none opposed; Keating abstained. Motion carried. The hearing will be scheduled for May 5, 2004.

#AUC-183: A motion was made by Roger Chesley and seconded by William Macomber to schedule an adjudicatory hearing based on possible violation of §291(1)(B)(D) and (E) and Board rules Chapter 50 Section 2(A) and Section 4(C)(D)(E) and (F). Edward Leary recused and left the room. Chesley, Macomber, and Williams voted in the affirmative; none opposed; Keating abstained. Motion carried. The hearing will be scheduled for May 5, 2004.

Examination Results

March 17, 2004: Five individuals took the exam; all five received passing scores. The next examination is scheduled for May 19, 2004.

Review and Action on Applications

The Board was presented with an application for renewal in which the applicant disclosed a criminal conviction. A motion was made by William Macomber and seconded by Roger Chesley to table this matter pending receipt of further information. Unanimous.

Correspondence

The Board was provided with information in a newspaper advertisement containing possible violations of Board statute/rules. A motion was made by James Keating and seconded by William Macomber to send a letter to the auctioneer informing her/him of the requirement that the

BOARD MEETING MINUTES

April 7, 2004

name and license number of the auctioneer must appear in newspaper advertisements.
Unanimous.

Next Meeting Scheduled for May 5, 2004

OTHER BUSINESS

A motion was made by William Macomber and seconded by Roger Chesley to authorize James Keating to attend the NALLOA Convention scheduled for July 11-17, 2004 in Madison, Wisconsin.
Unanimous.

ADJOURN

There being no other business, the meeting adjourned at 10:45 a.m.

Respectfully submitted,

Susan Greenlaw
Board Clerk